

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TONY DALE PENWELL,)	
)	
Plaintiff,)	Case No. 05-0831-JLR-JPD
)	
v.)	
)	ORDER DENYING PLAINTIFF'S
ROBIN CLEARY, et al.,)	REQUEST FOR
)	RECONSIDERATION
Defendants.)	
_____)	

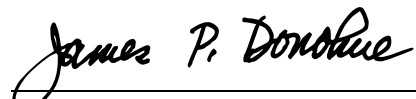
On November 28, 2005, plaintiff filed a "motion for order of summary judgment objecting stay of [sic] procedure." Dkt. No. 22. Because the motion appears to challenge the Court's November 29th, 2005, order granting defendants' motion to stay this case, the Court construes the motion as one for reconsideration. Having carefully reviewed the motion and the record, the Court ORDERS as follows:

(1) Plaintiff's motion for reconsideration, Dkt. No. 22, is DENIED. Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error . . . or a showing of new facts or legal authority which could not have been

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01 brought to [the Court's] attention earlier without reasonable diligence." Local Rule CR 7(h).
02 Here, plaintiff has identified no error in the Court's order, nor presented any new facts or
03 legal authority that were previously unavailable. To the contrary, the Court notes that the
04 arguments contained in this motion are nearly identical to those already present in the record
05 and that they should have been timely filed as an opposition to defendants' motion to stay this
06 matter. Plaintiff's motion is therefore denied.
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08 DATED this 5th day of December, 2005.

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10 JAMES P. DONOHUE
11 United States Magistrate Judge
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